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Attorney Docket No.: 24852-501 CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Chiao et al.		
SERIAL NUMBER:	10/616,649	EXAMINER:	Not Yet Assigned
FILING DATE:	July 9, 2003	ART UNIT:	1614
FOR:	METHODS OF TREATING CANCER WITH HDAC INHIBITORS		

MAIL STOP IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (3 pages), in duplicate; and
3. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 24852-501 CIP2. Please address all correspondence to customer number **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

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Dated: April 6, 2004

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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, for the above-identified application. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 24852-501 CIP2.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
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Dated: April 6, 2004

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Modified Form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number	10/616,649
Filing Date	07/09/03
First Named Inventor	Chiao
Group Art Unit	1614
Examiner Name	Not Yet Assigned
Attorney Docket Number	24852-501 CIP2

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1*	5,055,608	10/08/91	Marks et al.	560	169	06/30/89
	A2*	5,175,191	12/29/92	Marks et al.	514	575	05/14/90
	A3*	5,369,108	11/29/94	Breslow et al.	514	266	10/04/91
	A4*	5,608,108	03/04/97	Marks et al.	562	621	04/17/95
	A5*	5,700,811	12/23/97	Breslow et al.	514	314	05/19/94
	A6*	5,773,474	06/30/98	Breslow et al.	514	616	06/07/95
	A7*	5,932,616	08/13/99	Breslow et al.	514	532	04/04/94
	A8*	6,087,367	06/11/00	Breslow et al.	514	266	05/18/99
	A9*	6,511,990	01/28/03	Breslow et al.	514	314	08/24/00

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Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
✗	B1*	WO	98/40080	Beacon Laboratories, L.L.C.	September 17, 1998	X	
	B2*	WO	00/21979	Fujisawa Pharmaceutical Co., LTD	April 20, 2000	X	
	B3*	WO	00/71703	Methylgene, Inc.	November 30, 2000	X	
	B4*	WO	01/18171	Sloan-Kettering Institute for Cancer Research & The Trustees of Columbia University in the City of New York	March 15, 2001	X	
	B5*	WO	01/38322	Methylgene, Inc.	May 31, 2001	X	
	B6*	WO	01/70675	Methylgene, Inc.	September 27, 2001	X	
	B7*	WO	02/22577	Novartis-Erfindungen Verwaltungsgesellschaft M.B.H.	March 21, 2002	X	
	B8*	WO	02/30879	Prolifix Limited	April 18, 2002	X	
	B9*	WO	02/46144	F. Hoffmann-La Roche AG	June 13, 2002	X	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
✗	C1*	Andrews et al. (2000). *Intl. J. Parasitol.* 30: 761-768.
	C2*	Archer et al. (1998). *Proc. Natl. Acad. Sci. USA* 95: 6791-6796.
	C3*	Bhalla et al. (2002). "Co-treatment With The Histone Deacetylase Inhibitor Suberoylanilide Hydroxamic Acid (SAHA) Enhances the Cytotoxic Effects of Gleevec and Arsenic Trioxide (AT) Against Bcr-Abl Positive Human Leukemia Cells." *American Society of Hematology*, 44th Meeting of the American Society of Hematology, Abstract **4611**.
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	C5*	Butler et al. (2001). *Clincal Cancer Res.* 7: 962-970.
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	C9*	Cohen et al. (1999). *Anticancer Res.* 19: 4999-5006.
	C10*	Cohen et al. (2002). *Anticancer Res.* 22: 1497-1504.
	C11*	Curtin (2002). *Exp. Opin. Ther. Patents* 12: 1375-1384.
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	C15*	Finnin et al. (1999). *Nature* 401: 188-193.
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	C19*	Hockly et al. (2003). *Proc. Natl. Acad. Sci. USA* 100: 2041-2046.
	C20*	Kelly et al. (2001). "Suberoylanilide Hydroxamic Acid (SAHA), a Histone Deacetylase Inhibitor: Biologic Activity Without Toxicity." *American Society of Clinical Oncology,* Abstract No. **344**.
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X	C43*	Sgouros et al. (2002). "Synergistic Interaction of Suberoylanilide Hydroxamic Acid (SAHA) and

* Did not receive

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		Radiation in Human Prostate Tumor Spheroids." *American Society of Clinical Oncology*, Abstract No. **105**.
*	C44*	Stowell et al. (1995). *J. Med. Chem.* 38: 1411-1413.
	C45*	Su et al. (2000). *Cancer Res.* 60: 3137-3142.
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	C47*	Van Lint et al. (1996). *Gene Expression* 5: 245-253.
	C48*	Vrana et al. (1999). *Oncogene* 18: 7016-7025.
	C49*	Webb et al. (1999). *J. Biol. Chem.* 274: 14280-14287.
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	C52*	Zhou et al. (1999). *Gene* 233: 13-19.
	C53*	Zhou et al. (2000). *Proc. Natl. Acad. Sci. USA* 97: 1056-1061.
	C54*	Zhou et al. (2000). *Proc. Natl. Acad. Sci. USA* 97: 14329-14333.
	C55*	Zhou et al. (2001). *Proc. Natl. Acad. Sci. USA* 98: 10572-10577.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. **10/379,149**, filed **March 4, 2003**, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

* Did not receive